National Environmental Policy Act (NEPA) and
Site Wide Environmental Impact Statement (SWEIS)
Position Paper on issue CB-6

Historical

The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970 to address the need for a national environmental policy to guide the growing environmental concerns and provide a frame work to facilitate a national response. NEPA became a policy and procedural statute that has been interpreted by the courts to make environmental protection mandated as part of every federal agency or department action. Department of Energy (DOE) strategy for successful compliance with NEPA's provisions is achieved by integrating environmental recognition and requirement early in the planning and decision-making process. NEPA evaluations, for DOE projects, are required, at least, three different times during a project life cycle: before construction, before decommissioning, and after a change in scope of the project. Deactivation, Decontamination, and Decommissioning (D^3) endeavors are encompassed by these requirements, thus NEPA action must be completed.

1.0 **Statement of Issues**

A site-wide Environmental Impact Statement is being completed for Rocky Flats to deal with the site's current environmental issues. It is important to identify which of the D^3 projects should be included in this document. Failure to complete a correct assessment will greatly increase the cost of future projects due to the price of a separate Environmental Assessment (EA) or Environmental Impact Statement (EIS). In addition, recent change in instructions for implementing NEPA policy from the Environmental Protection Agency (EPA) and DOE Headquarters has changed, generating concerns with those individuals that are not working these NEPA issues on a daily basis.

2.0 **Status of Issues**

Parsons-Brinkerhoff, contracted by DOE (RFFO), is in the process of completing a Site Wide Environmental Impact Statement(SWEIS) for waste generation, environmental restoration, and facility processes/ missions. This is being completed to provide a current policy document for NEPA reflecting the new mission at Rocky Flats. While the SWEIS is being completed, there will be a moratorium through the remainder of the year on EA generation (approximately February through October, 1996).

Recent guidance from Michael Kleinrock, Director of the "Office of Environmental Activities" for DOE has changed the NEPA review processes for some projects. The change is an attempt to remove redundancy in documents and to integrate the NEPA efforts with the Interagency Agreement (IAG).

3.0 **Plan of Actions**

SWEIS and Environmental Assessment (EA) Moratorium

All identified and funded D^3 actions should be part of the SWEIS unless they can document a categorical exclusion (CX) status (see attachment A). Projects identified as Pilot Projects will not automatically receive the B3.10 CX, justification may be required documenting the pilot exemption. Project information that will be input into the SWEIS are *due before June 1995* and include but are not limited to: project name and action (statement of work), suspected volumes of

waste to be generated (to a rough order of magnitude), the types of waste to be generated, the period during which the waste will be generated, and how the action will be documented. Once a project is included in the SWEIS, the only NEPA requirement remaining is the review of the project by the regulators and public prior to the commencement of the work. This can be completed by a Proposed Action Memorandum (PAM) or any other regulatory decision documents.

NEPA Review Process

Those projects which utilize the integrated Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Resource Conservation and Recovery Act (RCRA) documents prepared for cleanup activities, included in the Interagency Agreement (IAG), are to incorporate NEPA values, to the extent practicable. EG&G's should also review this section. NEPA reviews will not be required for those projects except when otherwise directed by the Secretarial Policy on NEPA.

4.0 **References and Attachments**

"Draft Categorical Exclusion (CX) for six Decontamination and Decommissioning (D&D) Pilot Projects," August 2, 1994.
to Resource Conservation and Recovery Act (RCRA) closures," March 6, 1995.
"Flow chart for NEPA process at RFP", June 29, 1993.
"National Environmental Policy Act (NEPA) for pilot projects at Rocky Flats," January 10, 1995.
"National Environmental Policy Act (NEPA) documentation for Decontamination and Decommissioning projects," February 6, 1995.
"Applicability of National Environmental Policy Act (NEPA) to cleanup activities conducted pursuant to the Rocky Flat Interagency Agreement," February 27, 1995.

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United States Government

Department of Energy

Rocky Flats Field Office

Memorandum

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EG&G
ROCKY FLATS PLANT
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Draft Categorical Exclusion (CX) for Six Decontamination and Decommissioning (D&D) Pilot Projects

Patricia Powell, RFFO NEPA Compliance Officer

Attached please find:

(1) Transmittal Letter from EG&G;

(2) EG&G Environmental Checklist (EC);

(3) Draft Categorical Exclusion (CX) Determination.

These National Environmental Policy Act (NEPA) documents relate to the six Decontamination and Decommissioning (D&D) pilot projects currently approved as part of Rocky Flats' Environmental Restoration (ER) Program. As you know, D&D is currently not covered by the Interagency Agreement, so there are no NEPA/CERCLA integration issues related to this action.

My staff has reviewed the EC and draft CX, and I concur that the project descriptions are accurate and valid. Please contact me at extension 7003 if I can provide additional information.

Vern Witherill
D&D Group Leader
Environmental Restoration

Attachments

attachment C-1

EF 1325.8

United States Government | Department of Energy

memorandum

Rocky Flats Field Office

DATE:

REPLY TO ATTN OF: ER:TB:08062

SUBJECT: Draft Categorical Exclusion (CX) for Six Decontamination and Decommissioning (D&D) Pilot Projects

TO: Patricia Powell, RFFO NEPA Compliance Officer

Attached please find:

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My staff has reviewed the EC and draft CX, and I concur that the project descriptions are accurate and valid. Please contact me at extension 7003 if I can provide additional information.

Vern Witherill
D&D Group Leader
Environmental Restoration

Attachments

C-2

cc w/o Attachments:
J. Roberson, ER, RFFO
F. Lockhart, ER, RFFO
B. Thatcher, ER, RFFO
W. Fitch, ER, RFFO
J. Posluszny, PME, RFFO
T. Bearden, SAIC, RFFO
P. Sanford, SAIC , RFFO
S. Stiger, EG&G
B. Peterman, EG&G
T. DeMass, EG&G
A. Tome, EG&G
C. Reed, EG&G

ROCKY FLATS PLANT

ECOLOGY & NATIONAL ENVIRONMENTAL POLICY ACT DIVISION
ENVIRONMENTAL CHECKLIST

NCC# 503

CHARGE NUMBER: 98964505

I. Date: 5/31/94

II. Activity/Project Name: Decommissioning and Decontamination Pilot Projects

III. Authorization/Project Number:
ADS Number (E&WM only):

IV. EG&G Project Administrator: Chuck Reed

DOE Program Sponsor: Vern Witherill

V. Initiating Line Manager: T. Tome

VI. A. Project/Activity Description (attach pages as needed):

Rocky Flats Field Office proposes to perform six pilot projects for Decommissioning and Decontamination of equipment and buildings at RFP. These projects are chosen to include a wide variety of projects that give a representative range of difficulty and to provide a lessons learned platform on relatively simple, low profile, and low cost projects.

Sub-project #1 - Sodium Hydroxide Tanks

This pilot project consists of removing three plastic tanks which were used to store sodium hydroxide (NaOH) as part of a scrubber system for the fume hoods in Building 123. None of the tanks are currently in service and are empty. Each tank is approximately 2.5 feet in diameter and 4 feet in height. The tanks are positioned on separate concrete pedestals adjacent to their respective scrubber systems. The exterior of two of the tanks is covered by asbestos insulation approximately 2 inches thick and weighing about 100 lbs. Connecting each tank to its scrubber system is approximately 10 feet of 1 inch diameter polyethylene piping. The piping is wrapped with insulation which appears to be made of fiberglass. Samples would be taken from the tank and piping insulation to determine content.

This sub-project would remove the insulation around the piping and elbow, clean the piping with a damp cloth, suspend Building 123 operations requiring the scrubber, cease the scrubber operations, isolate NaOH from the scrubber, remove the piping, cap the scrubber connection, and restore Building 123 operations. The insulation would then be removed from around the tanks and disposed of in an approved storage facility. The piping, valves, controls, and sectioned tanks would be disposed of as sanitary waste in accordance with the project Waste Management Plan. The three job sites would be monitored for airborne asbestos in accordance with the Site Specific Health and Safety Plan.

Sub-project #2 - Security Incinerator

This pilot project would remove the security incinerator and associated equipment which is located adjacent to the southwest corner of Building 121. The incinerator was used to burn classified documents, including "No Carbon Required" (NCR), which contains high concentrations of polychlorinated biphenyls

(PCB's). However, the incinerator is no longer in service.

Equipment to be removed includes the incinerator burn box, which is approximately 7 feet in length, and 6.5 feet in width and height. Mounted on top of the burn box is an exhaust stack with a spark arrestor. The exhaust stack is 2 feet in diameter and 25 feet high. A platform would also be removed, which is 6 feet in length and 6 feet wide, and exists near the top of the stack which allowed access to monitoring probes. In addition, a chain link fence and solid wind break wall would also be removed. The wind break wall has been determined to contain non-friable asbestos.

Hazardous materials, in addition to PCB's, which may be present in the incinerator include dioxin, furons, and heavy metals. The firebrick in the incinerator may also contain asbestos. The existence of these contaminates would be verified after samples have been taken and analyzed. Material contaminated with PCB's would be placed into approved storage containers and stored in the TSCA approved storage area in Building 666. All hazardous waste would be placed in appropriate white and black drums, properly marked and sealed, and transported to a RCRA permitted storage area in accordance with the project Waste Management Plan. Generated waste from this sub-project includes about one ton of scrap iron and steel, about 100 pounds of non-friable asbestos, about one ton of asbestos within the firebrick, and approximately 50 pounds of PCB contaminated waste in the form of ash.

Sub-project #4 - Tanks No. 107 & 108

This pilot project would decontaminate, if necessary, and remove condensate storage tanks no. 107 and 108 from the northwest corner of Trailer 771G. The tanks are located next to each other on a hillside with a concrete retaining wall on three sides and a concrete slab foundation. Condensate was piped to these tanks and held for sampling.

In addition, the surface water runoff and potential spillage from within the berm around a sodium hydroxide (NaOH) storage tank is piped into tank no. 107. The sodium hydroxide tank which is currently out of service, would also be removed as part of this sub-project.

The storage tanks are each 21.5 feet in diameter and 8 feet in height, with a capacity of approximately 20,000 gallons. Associated piping includes a condensate inlet line, a crossover line between the tanks, and a gravity drain line. The drain line was to be run overland and discharge into North Walnut Creek; however, it is currently unknown where the pipe exits. The inlet pipe to the tanks has been blind flanged. Pumps and piping which were added to the tanks for discharge through the Building 774 sewer system would also be removed. This piping has been capped approximately 25 feet west of the tanks.

Currently, there is nearly one foot of water and mud surrounding each tank due to lack of maintenance on the drainage ditches in the immediate area. As a result, wetlands have formed in the area adjacent to the concrete slab. The tanks are also located in Individual Hazardous Substance Site #139.1N within Operable Unit 8. The area is also posted as being PCB contaminated.

The tank removal process involves removing the tank discharge piping from the pump to where it is presently capped (approximately 100 feet of 3 inch steel pipe), removing the drain piping from the tanks to the point where it enters the ground (approximately 40 feet of 3 inch steel pipe, insulation, and heat trace), removing the crossover pipe between the tanks (approximately 30 feet of 3 inch steel pipe), removing the caustic (NaOH) tank berm drain pipe from tank #107 to the point at which it enters the ground (approximately 30 feet of 3 inch steel pipe), cutting the tanks into sections with a plasma arc torch, and removing each section. A crane would be used to lift the sections from the area and eliminate wetland

Reviewed for Classification/UCNI
By_____
Date_____

impacts. Water on the concrete pad would be contained and then pumped prior to any removals.

Approximately 11,000 pounds of solid, possibly low-level waste would be generated from this activity, excluding the sodium hydroxide tank. In addition, about 5,000 gallons of water contaminated with sodium hydroxide would be generated.

Sub-project #5 - Building 889

Building 889 was designed and used as the non-Perimeter Security Zone decontamination and repackaging facility. Equipment contaminated with low levels of Uranium 238, Beryllium, and other possibly hazardous materials were decontaminated, size reduced, and packaged for disposal. No plutonium materials were processed in this facility.

This pilot project would remove all contaminated equipment from Building 889 and decontaminate the facility to at least "conditional release" criteria. Reusable equipment would be identified and decontaminated, if necessary, and removed from the building for other uses. Non-reusable equipment would also be decontaminated and removed. The disposal method would be determined in accordance the project Waste Management Plan.

The facility consists of three Radiological Control Areas (RCA). Room no. 106 is currently being used as the repackaging area.

The walls, floor, and ceiling of the building would be decontaminated using a combination of decontamination technologies, including spray washing, carbon dioxide pellet blasting, and scabbling. The project Decontamination Plan would dictate the decontamination method, depending upon hazardous materials and radiological survey results. All decontaminated structural surfaces would be sealed using a two-step process consisting of 1) painting with a tightly adhering non-porous type paint, and 2) painting a second coat with a strippable paint that could be easily removed if any contaminant became airborne and resettled on an area that had already been decontaminated.

Up to 3 tons of low-level waste would be generated consisting of non-reusable equipment. This material would be stored in an approved area and may be used as feed stock for the National Conversion Pilot Project. In addition, the spray washing decontamination process is expected to generate about 2,500 gallons of low-level mixed waste.

Sub-project #6 - Building 777 Room 415

This pilot project consists of decontamination and removal of equipment within rooms 415 and 416 in Building 777. In addition, the interior of the rooms would be decontaminated to at least "conditional release" criteria. Room 415 is a metallography lab which was used to prepare and analyze samples of plutonium metal. It is approximately 50 feet long and 25 feet wide. A large glovebox, approximately 25 feet long, is located within the room which contains equipment for grinding, polishing, and cutting metal samples. The glovebox and equipment are internally contaminated. RCRA interim status storage unit 90.137 is also located within Room 415. Room 416, which measures 40 feet long and 25 feet wide also contains metallography equipment.

Decontamination activities include 1) decontamination and removal of reusable equipment, 2)removal and relocation of hazardous materials from the glovebox, 3) preparation of the glovebox for decontamination, 4) glovebox decontamination, release survey, and dismantling, 5) decontamination of walls, floors, and ceilings, and 6) epoxy seal walls and floor. Spray washing is the preferred method of decontamination; however, other methods such as scabbling and carbon dioxide pellet blasting may also be employed.

The volume of waste generated from these activities is unknown at this time, until the Hazardous Material

Survey is performed and reported. The waste is expected to be moderate and classified as low-level and possibly low-level mixed.

Sub-project #7 - Building 779, Room 154

Building 779, Room 154 is a laboratory which was used to prepare and analyze samples of hydrated metal. It is approximately 50 feet long and 20 feet wide. The room contains five gloveboxes which contain furnaces and other metal-treating equipment. The gloveboxes and all of the equipment contained within them are internally radiologically contaminated. Room 152 , which contains one glovebox, would also be decontaminated. Spray washing is the preferred method of decontamination; however other methods such as scabbling and carbon dioxide pellet blasting may also be employed.

Decontamination activities include 1) decontamination and removal of reusable equipment, 2)removal and relocation of hazardous materials from the glovebox, 3) preparation of the glovebox for decontamination, 4) glovebox decontamination, release survey, and dismantling, 5) decontamination of walls, floors, and ceilings, and 6) epoxy seal walls and floor. Spray washing is the preferred method of decontamination; however, other methods such as scabbling and carbon dioxide pellet blasting may also be employed.

The volume of waste generated from this activity is currently unknown, but is expected to be large. Four of the five gloveboxes in Room 154 are heavily contaminated and contain large amounts of equipment. The waste is expected to be classified as low-level and possibly low-level mixed.

The first pilot project is scheduled to begin in June 1994 and the last project would be complete by December 1995. Total project cost is estimated to be $3,929,900.

		Checklist	
		YES	NO
VII.	Statutes applicable:		
	A. Will the project require or potentially require an application for permit (s) or permit modification (s) under:		
	1. Clean Air Act?	___	X
	2. Colorado Air Quality Regulations 3 - APENs	___	X
	3. Clean Water Act?	___	X
	B. Does the project involve RCRA permitting ? (if "no", skip to C)	X	___
	1. Will a RCRA permit or modification be required?	X	___
	2. Does the project include a removal?	___	X
	3. Does project include RCRA closure?	___	X
	- partial?	___	___
	- full?	___	___
	4. Does project include excavation or capping to meet RCRA requirements?	___	X
	5. Will cost and duration stay within $2 million and 12 months? (Explain in project description.)	X	___
	C. Does the project involve CERCLA? (if "no", skip to D)	___	X
	1. Does project include CERCLA removal?	___	___
	2. Will cost and duration stay within $2 million and 12 months? (Explain in project description.)	___	___
	D. Does the project threaten to violate statutory, regulatory,		

	or permit requirements, or DOE Order?	___	X
	E. Will the action be in or near an Individual Hazardous Substance Site (IHSS)?	X	___
	F. Does the project potentially impact threatened or endangered species or habitat, the Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, Fish and Wildlife Coordination Act, Colorado Non-game, Endangered Species Conservation Act?	___	X
VIII.	Will this project construct or require a new or expanded waste disposal, recovery, storage or treatment facility?	___	X
IX.	Is project needed for IAG, AIP, FFCA, or other federal or state agreement? (Specify and explain any schedule urgency and deadlines in project description.)	___	X
X.	Is the project:		
	A. new process, building, etc.or	___	X
	B. a modification to an existing?	___	X
	C. capital equipment/machinery installation?	___	X
XI.	Location Items:		
	A. Will the project result in, or have the potential to result in, long term changes to the environment?	___	X
B.	Will the action occur outside the security zone/ protected area (i.e., outside Gate 8 at Post 100 and Gate 10 at Post 900)?	___	X
	C. Will the action take place in a wetland or floodplain?	___	X
XII.	Will the project result in changes and/or disturbances of the following existing considerations? (If yes, please quantify in program description).		
	A. noise levels	___	X
	B. air emissions	___	X
	C. liquid effluents	___	X
	D. solid wastes	X	___See note 1
	E. radioactive wastes (including contaminated soil)	X	___See note 2
	F. hazardous waste	X	___See note 3
	G. mixed waste (radioactive and hazardous)	X	___
	H. chemical or petroleum product storage	___	X
	I. water use (withdrawal of groundwater or diversion or withdrawal of surface water)	___	X
	J. drinking water system	___	X
	K. sewage disposal system	___	X
	L. soil movement outside facility fences or beyond IHSS boundaries	___	X
	M. site clearing, excavation, or other physical alterations to grade	___	X
XIII.	Will the project threaten public health or safety?	___	X

XIV.	Will the project have possible effects on the environment which are likely to be highly controversial?	___	X
XV.	Will the project establish a precedent for future actions that will have significant effects, or represent a decision in principle about a future consideration?	___	X
XVI.	Will the project be substantially related to other actions that have individually insignificant but cumulatively significant impacts?	___	X
XVII.	Will the project adversely affect federal, state, or locally designated natural areas, prime agricultural land, special water sources, or historic, archeological, or architectural sites?	___	X
XVIII.	Have possible pollution prevention measures been considered?	X	___

NOTE 1: A significant amount of solid, hazardous, and radioactive waste may be generated by these pilot projects. Most solid waste would consist of unusable scrap iron and metal from tanks, associated piping, gloveboxes, and metallography equipment contained within the gloveboxes.

NOTE 2: Hazardous waste may be generated from these activities. Actual amounts have not been determined, however, Hazardous Material Survey will be performed for each sub-project. The results will be published in the respective Hazardous Material Survey Reports. The sub-project Waste Management Plans will produce a detailed estimate of the amount and types of waste to be generated by each sup-project, where the wastes would be stored or processed, and assure that appropriate work instructions and quality assurance plans are approved in accordance with applicable local, State, and Federal laws and regulations. The plan would be reviewed by DOE, RFFO.

NOTE 3: Radiological surveys would be performed prior to any decontamination activities and reported in the Radiological/ALARA Report for sub-projects in which radiological contamination is suspected (All pilot projects, except #1). The report would document the amount, location, and type of radiological contamination within the decon area. It is expected that these pilot projects would produce a significant amount of low-level waste, and may generate a smaller amount of low-level mixed waste. Liquid waste would be treated in approved treatment facilities at RFP, depending upon its content (Building 374 or Building 774).

EC Prepared by: S.D. Knopp Date: 5/31/94

Organization: END Bldg: T130B Extension: 4468

EG&G ROCKY FLATS

M. Dawson
L. Gregory-Trost

INTEROFFICE CORRESPONDENCE

DATE: March 6, 1995 5440.1

TO: S. G. Stiger, Environmental Restoration Management, Bldg. 080, X8540

FROM: S. M. Nesta, NEPA & NPDES/FFCA Management, Bldg. T130J, X6386

SUBJECT: APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) TO CLEANUP ACTIVITIES CONDUCTED PURSUANT TO RESOURCE CONSERVATION RECOVERY ACT (RCRA) CLOSURES - SMN-068-95

We have just received a memo from DOE, RFFO regarding the applicability of NEPA to cleanup activities conducted pursuant to RCRA actions under the Inter Agency Agreement (IAG). The attached memo states that we can now apply the new Secretarial Policy on NEPA to RCRA actions similar to the way we have accepted the functional equivalency of CERCLA to NEPA.

As long as activities meet the documentation and procedural requirements of CERCLA and RCRA with the proper public reviews, the documents only need to be reviewed for NEPA values. A full NEPA review is not necessary.

You will also notice that the attached letter addresses disposal facilities. There has been discussion regarding exempting the bulk storage facility from NEPA review. However, as the policy states, if the facility is to be used for storage of other materials besides CERCLA materials, such as decontamination, decommission, and deactivation, a full NEPA review is required.

If you have any questions or need any other information please contact me at X6386/D4290.

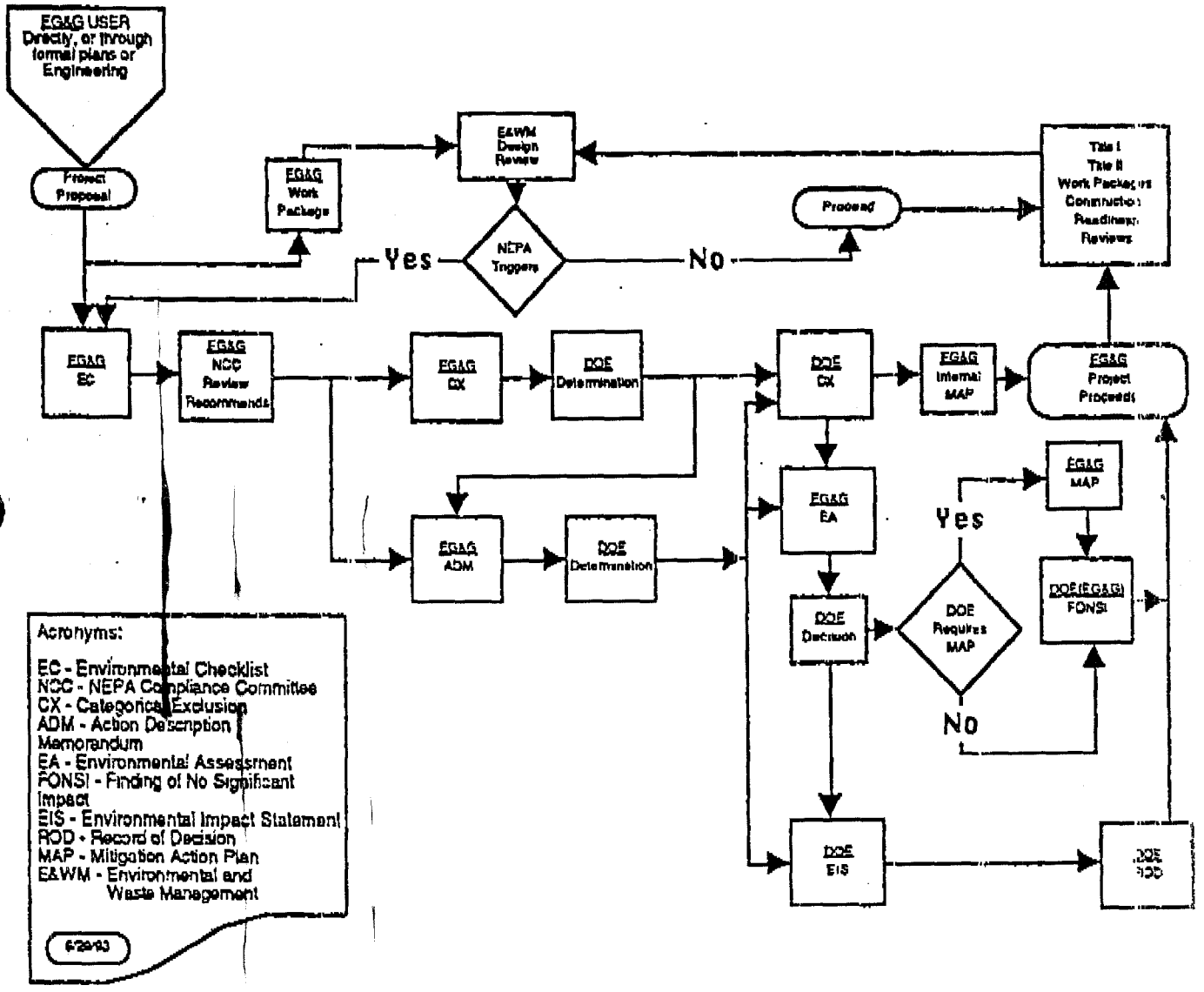
lmr

Attachment:
As Stated

cc:
S. D. Cooke
T. G. Hedahl
G. H. Setlock
D. A. Ward
File

APPENDIX 3
Page 1 of 1

FLOW CHART FOR NEPA PROCESS AT RFP



Peterman

EG&G ROCKY FLATS

Schmidt & Lehew
DOE (Alan) says we can still do this.

INTEROFFICE CORRESPONDENCE

Anna,
cc All
John
ltr orig. Tom

RECEIVED
FEB 10 1995

DATE: January 10, 1995

TO: Distribution

FROM: T. G. Hedahl, Waste Management, Bldg. 111, X4111

SUBJECT: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) FOR PILOT PROJECTS AT ROCKY FLATS- TGH-002-95

We recently received a letter from the DOE NEPA Compliance Officer (NCO) regarding the use of the categorical exclusion (CX) for pilot projects at the Site. The NCO states that "it appears that the CX is being used as an easy way to provide NEPA documentation for a wide variety of proposed projects at the Site." The specific criteria for "pilot project" CX reads as follows:

> B3.10 Small-scale research and development projects and small-scale pilot projects conducted (for generally less than two years) to verify a concept before demonstration actions, performed in an existing structure not requiring major modification.

We have recently seen the NCO start to push back on how the above CX is being applied especially for Deactivation, Decontamination and Decommissioning projects. An underlying premise of the CX is that pilot projects will provide lessons learned, and that we will not repeat other small projects that use the same techniques, run the same tests, and provide the same information that resulted from a previous project. The NCO cautions us to be prudent in selecting this CX, citing it only when the proposed project clearly satisfies the criteria set forth in B3.10. We will be able to use the CX only when we can demonstrate the technology being tested has not been previously used on any project.

The alternative to a Section B3.10 CX is to perform an Environmental Assessment (EA) for all proposed Deactivation, Decontamination and Decommissioning projects required to be completed prior to the Site-Wide Environmental Impact Statement Record of Decision (ROD) (i.e. the ROD is expected in October 1996.) However, the NCO has also requested that no EAs shall be conducted which are not completed prior to February 1996 (letter TGH-003-95); the site's record for an expedited EA (i.e. Bldg. 707 EA) is approximately eight months. Furthermore, the NCO has requested that we inform her of our intention to prepare an EA prior to January 31, 1995.

If you have questions or would like to discuss this information, please call Steve Nesta at X6386/D4290.

SMN:lmr

Distribution

T. R. DeMass
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J. G. Lehew
V. M. Pizzuto

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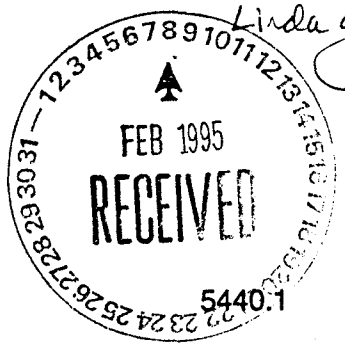
Best Available Copy

cc: Bruce Teterman
Linda Quinn

EG&G ROCKY FLATS



INTEROFFICE CORRESPONDENCE

DATE: February 6, 1995 5440.1

TO: T. R. DeMass, Decontamination & Decommissioning Projects, Bldg. 080, X8760

FROM: S. M. Nesta, Environmental Policy Implementation, Bldg. T130J, X6386

SUBJECT: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENTATION FOR DECONTAMINATION AND DECOMMISSIONING PROJECTS - SMN-029-95

The Environmental Restoration Program Weekly Report for the week ending January 13, 1995 identifies the following list of decontamination and decommissioning projects scheduled to begin between 1996 and 2001:

- modules E, F, G and H in Building 707
- strip-out of several rooms in Buildings 771 and 371
- complete strip-out of all areas in Building 777, and
- demolition of buildings 779 and the 886 complex.

These projects will require National Environmental Policy Act (NEPA) documentation. Likely sources of that documentation are:

- the Site-Wide Environmental Impact Statement (SWEIS) now in preparation and scheduled to be completed in late 1996,
- an environmental assessment, or
- categorical exclusion(s).

Certain decontamination and decommissioning projects, including the decontamination and decommissioning of module D in Building 707, have received categorical exclusions as pilot projects. As you are aware, it is unlikely that any future decontamination and decommissioning projects will be categorically excluded as pilot projects unless they can be conclusively shown that they also will enable lessons to be learned that could not be learned from prior projects.

The purpose of this letter is to notify you that, absent a clear indication that a decontamination and decommissioning project is actually a pilot project, the decontamination and decommissioning projects listed above will probably require NEPA coverage under an environmental assessment or the SWEIS or possibly both. The most cost effective way to achieve NEPA coverage for these projects, if schedules permit not starting the projects until late 1996, is to ensure that they have a sufficient discussion in the SWEIS. If project schedules call for an earlier start, you should consider an environmental assessment. We have been notified by RFFO that EAs, which take about nine months to complete, must be concluded by February 1996 in order to avoid conflicting with the SWEIS; so any EA needs to start very soon.

EG&G ROCKY FLATS, INC., ROCKY FLATS , P.O. BOX 464, GOLDEN, COLORADO 80402-0464 (303) 966-7000

Environmental Policy Implementation stands ready to assist project management in meeting its responsibility to comply with NEPA however we can. Please do not hesitate to contact me if you have any questions.

WAM:ses

cc:
S. G. Stiger
W. A. Moore
File

United States Government

memorandum

Department of E

DATE: FEB 27 1995

REPLY TO ATTN OF: EM-22 (S. Frush, 301-903-8159)

SUBJECT: Applicability of the National Environmental Policy Act to Cleanup Activities Conducted Pursuant to the Rocky Flats Interagency Agreement

TO: P. Powell
NEPA Compliance Officer
Rocky Flats Environmental Technology Site

This memorandum has been prepared in response to your request regarding the applicability of the National Environmental Policy Act (NEPA) to cleanup activities being conducted at the Rocky Flats Environmental Technology Site under the current Interagency Agreement.

During our conversation of February 8, 1995, you explained that under the terms of the current Interagency Agreement, the Environmental Protection Agency (EPA) and the State of Colorado (State) have joint lead regulatory authority over all operable units currently identified at Rocky Flats, and cleanup activities included in the agreement are required to satisfy the documentation and procedural requirements of both the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA). Also, a single integrated decision document, signed by DOE, EPA, and the State, will be issued in support of each cleanup activity included in the agreement.

Based on this scenario, and in accordance with the DOE Secretarial Policy on NEPA issued in June 1994, the integrated CERCLA/RCRA documents prepared for cleanup activities included in the Interagency Agreement are to incorporate NEPA values, to the extent practicable. Therefore, NEPA reviews would not be required for these activities except where otherwise directed by the Secretarial Policy on NEPA (e.g., the Department of Energy may choose, after consultation with stakeholders and as a matter of policy, to integrate the NEPA and CERCLA processes for specific proposed actions). NEPA reviews are to be undertaken for siting, construction, and operation of treatment, storage, and disposal facilities that, in addition to supporting CERCLA actions, also serve waste management or other purposes. NEPA reviews should also be performed for any proposed RCRA activities that are not included in the current Interagency Agreement.

In accordance with the Secretarial Policy Statement on NEPA, EM-22 consulted with the Office of the General Counsel for Environment (GC-51) and the Office of NEPA Policy and Assistance (EH-42) in the preparation of this guidance. EM-22 also coordinated with the Office of Environmental Restoration (EM-40). If you have any questions, please call Steve Gollan at 301-903-7791 or Shirley Frush at 301-903-8159.

Michael Kleinrock
Director
Office of Environmental Activities

cc:
E. Livingston-Behan, EM-20
D. Waldrop, EM-20.1
C. Gesalman, EM-453
D. Monroe, GC-51
J. Gearo, EH-421